

**Historic Zoning Commission
Meeting Minutes
September 22, 2015**

The Historic Zoning Commission held a meeting on September 22th, 2015 at 5:00 p.m. in the Administrative Conference Room at the Municipal and Safety Building.

Members Present

Sam Fullen
Liz Biosca, Vice-Chairwoman
Tony Street
Greg Cox
Tom Mozen
Hal Hunter

Members Absent

Sheila Cox, Chairwoman

Staff Present

Angie Charles
Steve Neilson

Visitors Present

Dianna Cantler
Erick Herrin
Rebecca Ketchie
Amber Lee
Brandon Stamper
Autumn Johnson
Unknown Name
Nathan Baker (JC Press)
Sean Williams
Court Recorder, unknown name

Vice-Chairwoman Biosca called the meeting to order at 5:05 p.m. and a quorum was present

The first item on the agenda was the approval of the agenda.

MOTION: Fullen To approve the agenda.

VOTE: Approved 4-0

The second item on the agenda was the consideration of the minutes of the called meeting on September 8, 2015.

MOTION: Fullen To approve the minutes with an amendment, “Sam Fullen” amended to “Hal Hunter” on a motion to enter executive session.

VOTE: Approved 4-0.

Commissioner Cox entered at this time.

Commissioner Mozen arrived at this time.

The next agenda item was the consideration of unfinished business, Certificate of Appropriateness #2015-155 for 726 W. Pine St, for new construction. Mr. Brandon Stamper, the petitioner, and his legal representative Mrs. Rebecca Ketchie, spoke on behalf of the request. Commissioner Street requested for attic vents to be added to the left and right side elevations of

the home. Commissioner Mozen requested the corbels be removed from the elevations. Mr. Stamper was agreeable to both Commissioners' suggested modifications. The Commission noted the floorplan included a mother-in-law type suite and asked staff if the area could be rented to a tenant. Staff replied that the current regulations would not allow the renting out of the space to a non-family member, that the zoning was for single-family uses. Mr. Stamper added that the intention is to accommodate family members, possibly aging parents of the future home owner. Mr. Stamper indicated and confirmed the house was being built as a single family home and the building permit reflects that as well.

MOTION : Street To grant a Certificate of Appropriateness for new construction at 726 W. Pine St., with the addition of attic vents on the left and right sides of the elevations, and the removal of the corbels from the plan.

VOTE: Approved 6-0

The Court Recorder left at this time.

The petitioner and his legal representative left at this time.

The next agenda item was the consideration of new business, Certificate of Appropriateness #2015-156 for 308 E. Main St., for new signage. The Commission recognized that neither the petitioner nor a representative was present to discuss the request.

MOTION : G. Cox To defer action until the called meeting on September 25, 2015.

VOTE: Approved 6-0

The next agenda item was the consideration of new business, Certificate of Appropriateness #2015-157 for 257 E. Main St., for new signage. The owner of the property spoke on behalf of the request. Commissioner Street stated the proposed signage was well done and complementary to the building. The Commission agreed.

MOTION : G. Cox To grant a Certificate of Appropriateness for new signage at 257 E. Main St. as requested.

VOTE: Approved 6-0

The next agenda item was the consideration of new business, Certificate of Appropriateness #2015-158 for 324 E. Main St., for façade removal and replacement. Mr. Richard Nelson, the petitioner, spoke on behalf of the request stating the building's stucco had to be removed due to damage. Commissioner Fullen asked if the proposed corrugated metal siding would be shiny. Mr. Nelson replied it would be shiny. Commissioner Cox stated that he wasn't sure if the building had historic elements pertinent to the Downtown Historic District. Commissioner Hunter asked if the existing lower level façade was corrugated metal. Mr. Nelson replied that it was not metal but instead stucco. Commissioner Mozen asked how the proposed metal siding would terminate, and Mr. Nelson replied with a cap. Commissioner Cox asked Mr. Nelson to consider utilizing a channel installation instead of using rows of screws. Mr. Nelson agreed. Commissioners Street and Hunter stated the façade replacement would be a good retrofit.

MOTION : G. Cox

To grant a Certificate of Appropriateness for façade removal and replacement with corrugated metal siding, at 324 E. Main St., with the suggestion of using a channel installation instead of rows of screws.

VOTE: Approved 6-0

At this time, Commissioner Greg Cox asked visitor, Ms. Amber Lee, if she wanted to comment on one of the downtown items as she was still in attendance. Ms. Lee responded that she wanted to comment on the item at 726 W. Pine St., but no one had invited her to speak as the item was being considered. Attorney Erick Herrin, also in attendance, noted that while Ms. Lee was not invited to speak during the original discussion, it was equally correct that Ms. Lee did not request to be heard. However, Attorney Herrin indicated that the best course of action would be for the Commission to allow Ms. Lee to have an opportunity to be heard. If the Commission, after consideration of Ms. Lee's remarks, desired to modify its previous decision, then Mr. Stamper could be notified and given the opportunity to respond. Ms. Lee was then invited to speak and expressed disappointment that the full gable at the front of the house had not been included as directed by the Commission on September 8, 2015. Likewise, Ms. Lee indicated that the Commission's directive regarding evergreen plantings on the property line had been disregarded. Ms. Lee then expressed the view that the modifications to the structure were an improvement then thanked to Commission for its efforts regarding the construction project. Ms. Lee expressed concern that staff had recommended approval of this residence four (4) times and that in the future the process needed improvement to avoid such errors, including a checklist as to the historic guidelines and compliance with decisions of the Commission. Various members of the Commission, specifically Mr. Mozen, agreed with Ms. Lee's assessment that the process could be improved and that this project had served to make changes going forward. With respect to the "directives" given Mr. Stamper, various members of the Commission indicated that these changes were "suggestions" and that they appreciated Mr. Stamper's willingness to incorporate many of the suggestions because the Commission does not really possess the level of authority to require Mr. Stamper to incorporate some of the modifications he volunteered to make. The Commission indicated Mr. Stamper's willingness to engage in the process to achieve a workable solution to a problem that was caused not only by him, but the City staff and the Commission itself was very helpful and in the interest of everyone involved. It would be acceptable, according to Herrin, for the Commission to reconsider the Certificate of Appropriateness in light of Ms. Lee's comments and revote after considering Ms. Lee's points.

The next item was the reconsideration of the Certificate of Appropriateness #2015-155 for 726 W. Pine St, for new construction.

MOTION : G. Cox

To grant a Certificate of Appropriateness for new construction at 726 W. Pine St, with the addition of attic vents on the left and right sides of the elevations, and the removal of the corbels from the submitted plan.

VOTE: Approved 6-0

Following the vote, Attorney Herrin advised the Commission that a new building permit would be issued in conjunction with the Certificate of Appropriateness. With respect to the pending litigation, Attorney Herrin indicated he would discuss that with Ms. Lee, but that the builder could resume construction under the authority of the new building permit and certificate.

There being no other business, the meeting adjourned at 6:15 p.m.

APPROVED:

Sheila Cox, Chairwoman